



Request for assistance

Colon Willoughby to: Pete.E.Powell

Cc: William.D.Kenerly

10/30/2009

Pete This morning the North Carolina Board of Elections concluded a hearing that has been going on this week and has decided to refer their investigation to the district attorney for a determination of whether a criminal investigation or prosecution is warranted. As the law provides, the Board must refer this matter to the district attorney of Wake County as the matter involves a statewide election. Their hearing addressed the conduct of a number of persons including those making political contributions and the recipients of those contributions. One of those recipients was former Governor Michael F. Easley. I believe in order to properly serve the public interest and to maintain public confidence in our system, it is appropriate to request that another district attorney assume responsibility for determining whether any criminal investigation or prosecution is warranted. I am requesting that you assign William D. Kenerly, district attorney in District 19C, to this matter so that he may review the evidence gathered by the Board of Elections, determine if further investigation is necessary, and determine if prosecution is warranted. If there is a prosecution in Wake County I ask that he be temporarily assigned here to conduct what proceedings he finds necessary. I have spoken with Mr. Kenerly and he has agreed to accept this responsibility and carry out these duties. Please notify me if you agree that this is appropriate and we have made the assignment. Colon Willoughby